



PATENT  
600-1-259

1651  
#8  
NB  
03/28/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : MUIR AND COTTON  
SERIAL NO. : 09/483,543 EXAMINER : J. WEBER  
FILED : JANUARY 14, 2000 ART UNIT : 1651  
FOR : MULTIPLE SENSOR-CONTAINING ACTIVE MODIFIED  
POLYPEPTIDES, PREPARATION AND USES THEREOF

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

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Michael A. Yamin, Reg. No. 44,414  
(Name of Registered Representative)

*Betty Schutt* 3/15/01  
(Signature and Date)

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Dear Sir:

The following amendments and remarks are responsive to the requirement for restriction mailed February 14, 2001, due for a response on March 16, 2001.

REMARKS

The Examiner has required restriction to one of the following Groups:

- I. Claims 1-15, drawn to a FRET peptide;
- II. Claims 16-17, 34-37, drawn to a method of detecting changes in FRET peptide;
- III. Claims 18-29 and 38-39, drawn to a method of identifying modulators of FRET peptide activity;
- IV. Claims 30-32, drawn to a method of making a FRET peptide;
- V. Claim 33, drawn to a peptide of SEQ ID NO: 5;
- VI. Claims 40-49, drawn to a method of identifying modulators of kinase; and
- VII. Claim 50, drawn to a peptide of SEQ ID NO: 9.

Before making the election, Applicants believe that claim 15 properly belongs in Group II rather than Group I (as it is the independent claim on which claims 16 and 17 in

Group II depend), and thus Applicants in making the following election assume that Group I includes claims 1-14, and Group II includes claims 15-17 and 34-37.

Applicants hereby elect Group I, claims 1-14, drawn to a FRET peptide, but respectfully traverse the requirement and request that the claims in Groups V (claim 33) and VII (claim 50) be included in the elected group. Applicants respectfully point out that these are two examples of dual-sensor-containing molecules, which include the sensors, as described on page 10, lines 5-6, and thus are particular embodiments of the compositions described in the claims of Group I. The composition of SEQ ID No:8 (Figure 5A) is already represented in Group I as dependent claim 13.

**Fees**

No fees are believed to be necessitated by the instant response. However, should this be in error, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or to credit any overpayments.

**CONCLUSION**

Examination on the merits is respectfully requested.

Respectfully submitted,



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